

REMARKS

Applicants acknowledge receipt of an Office Action dated March 29, 2005. In this response Applicants have amended claims 1-5, 7-11, 13-18, 22-24 and 26-27. Support for these amendments may be found in the specification, *inter alia*, on pages 14 and 15. Applicants also note that they have amended the claims for improved readability and grammatical correctness. Claims 12, 21, and 25 have been canceled without prejudice or disclaimer. Following entry of these amendments, claims 1-11, 13-20, 22-24, and 26-27 are pending in the application.

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and the remarks which follow.

Request for Acknowledgement of Priority Documents and Drawings

During a review of their file, Applicants have noted that the PTO has not yet acknowledged acceptance of the priority documents and formal drawings submitted on September 17, 2003. Applicants respectfully request that the PTO acknowledge acceptance of the priority documents and drawings in its next communication.

Rejections Under 35 U.S.C. § 112

On page 2 of the Office Action, the PTO has rejected claims 1-27 under 35 U.S.C. § 112, first paragraph.

As an initial matter, Applicants note that claims 12, 21 and 25 have been cancelled without prejudice or disclaimer. Accordingly, the outstanding rejection of these claims is now moot.

While Applicants do not acquiesce in the PTO's rejection under §112, in order to expedite prosecution, Applicants have amended independent claims 1-3, 11 and 14 to recite that "a titanium dioxide content of the titanium dioxide fine particles is 80% by weight or more" and to recite "700 ppm by weight or more" of nitrogen as suggested by the PTO. In view of these amendments, Applicants submit that the rejections of these claims, as well as the claims depending therefrom, under § 112 are now moot. Applicants expressly reserve the

right to pursue claims that do not contain the features added in this amendment in one or more continuing applications.

With respect to claims 22-24, Applicants note that each of these claims is a method claim directed to the production of titanium dioxide fine particles. Since the discussion on pages 14 and 15 of the specification relate (i) to particles (not methods) and (ii) to light activable catalysts, not titanium dioxide fine particles generally, Applicants submit that the outstanding rejection is not germane to methods and that the remarks from pages 14 and 15 of the specification that were cited in the rejection are not applicable to claims 22-24. Accordingly, Applicants request reconsideration and withdrawal of the outstanding rejection of claims 22-24.

With respect to claims 26 and 27, Applicants have amended each of these claims to recite that the sintered body or film comprises “80% by weight titanium dioxide.” Applicants have not amended either claim 26 or 27 to specify the amount of nitrogen present in the final product because that amount will vary as part of the process. In view of these remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection of claims 26 and 27 under §112.

Rejections Under 35 U.S.C. § 103

On page 3 of the Office Action, the PTO has rejected claims 21, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,743,749 to Morikawa et al. (hereinafter “Morikawa”). In this response, Applicants have cancelled claims 21 and 25, without prejudice or disclaimer, and have amended claim 24 to depend from claim 22. Accordingly, Applicants submit that the outstanding rejection under §103 is now moot.

Information Disclosure Statement

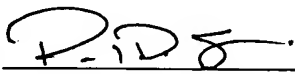
On page 4 of the Office Action, the PTO has requested a copy of the Information Disclosure Statement filed February 22, 2005. Applicants have enclosed a copy of the Information Disclosure Statement, Form PTO/SB/08, and references cited.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.